

JEREMY A. MEIER – SBN 139849
MICHAEL D. LANE – SBN 239517
GREENBERG TRAURIG, LLP
400 Capitol Mall, Suite 2400
Sacramento, CA 95814-3938
Telephone: (916) 442-1111
Facsimile: (916) 448-1709
meierj@gtlaw.com
lanemd@gtlaw.com

Attorneys for Defendant
Maximus, Inc.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

625 COOLIDGE LLC, a California Limited
Liability company,

Plaintiff,

V.

MAXIMUS, INC., a Virginia corporation,
and DOES 1 through 50, inclusive,

Defendants.

CASE NO. 2:23-cv-01916-TLN-JDP

**JOINT OBJECTION TO INITIAL PRETRIAL
SCHEDULING ORDER (ECF NO. 2) AND
STIPULATION TO MODIFY; ORDER**

Removal Filed: September 6, 2023
Complaint Filed: April 20, 2023

1 Pursuant to Federal Rules of Civil Procedure 16(b) and 26(f), and the Court's Initial Pretrial
2 Scheduling Order (ECF No. 2) (the "Initial Pretrial Scheduling Order"), Plaintiff 625 COOLIDGE LLC
3 ("Plaintiff") and Defendant MAXIMUS, INC. ("Maximus") (collectively, the "Parties"), by and through
4 their undersigned counsel of record, hereby object to and stipulate to modify the Initial Pretrial Scheduling
5 Order as follows:

6 **RECITALS:**

7 WHEREAS, on April 20, 2023, Plaintiff filed a Complaint against Defendant in the Sacramento
8 County Superior Court of the State of California, Case No. 23CV000119 (the "Action");

9 WHEREAS, on September 6, 2023, Defendant removed the Action to this Court (ECF No. 1);

10 WHEREAS, on September 7, 2023, the Court issued the Initial Pretrial Scheduling Order (ECF No.
11 2);

12 WHEREAS, the Initial Pretrial Scheduling Order provides that all discovery, with the exception of
13 expert discovery, shall be completed no later than two hundred forty (240) days from the date upon which
14 the last answer may be filed with the Court (the "Fact Discovery Cutoff") (ECF No. 2 at 2);

15 WHEREAS, the Initial Pretrial Scheduling Order provides that the Initial Pretrial Scheduling Order
16 shall not be modified except by leave of Court upon a showing of good cause, and that any objections to
17 the Initial Pretrial Scheduling Order must be filed within sixty (60) days of service (ECF No. 2 at 6, 7);

18 WHEREAS, on November 3, 2023, the Parties timely met and conferred pursuant to Federal Rule
19 of Civil Procedure 26(f);

20 WHEREAS, the Parties intend to conduct an early mediation or other alternative dispute resolution
21 procedure (the "Mediation"), concurrent with an informal exchange of information and documents, within
22 the next one hundred twenty (120) days, depending on the mediator or neutral's availability;

23 WHEREAS, the Parties have agreed that, to accommodate the anticipated Parties' Mediation, the
24 Fact Discovery Cutoff should be extended 180 days to November 10, 2024 and that all corresponding
25 discovery, expert disclosure, law and motion, settlement conference, and trial setting dates and deadlines
26 in the Initial Pretrial Scheduling Order should be reset based on the new Fact Discovery Cutoff (the
27 "Stipulated Extension"),

1 WHEREAS, the Parties agree that good cause exists to grant the Stipulated Extension because it
2 would allow the Parties sufficient time to meaningfully prepare for and engage the Mediation to informally
3 resolve this Action, preserve the Court's and the Parties' time and resources, and promote judicial
4 efficiency;

5 WHEREAS, the Parties do not enter into this Stipulation for the purpose of delay; and

6 WHEREAS, no Party will be prejudiced by the stipulated extension of the Fact Discovery Cutoff.

7 **STIPULATION:**

8 NOW THEREFORE, IT IS HEREBY STIPULATED AS FOLLOWS:

9 1. For good cause as discussed above, the Fact Discovery Cutoff shall be extended 180 days to
10 November 10, 2024.

11 2. All corresponding discovery, expert disclosure, law and motion, settlement conference, and
12 trial setting dates and deadlines in the Initial Pretrial Scheduling Order should be reset based
13 on the new Fact Discovery Cutoff.

14 **IT IS SO STIPULATED.**

15 DATED: November 6, 2023

GREENBERG TRAURIG, LLP

16
17 By: /s/Michael D. Lane

18 Jeremy A. Meier
19 Michael D. Lane
Attorneys for Defendant
Maximus, Inc.

20 DATED: November 6, 2023

HEFNER, STARK & MAROIS, LLP

21
22 By: /s/Kirk E. Giberson

23 Kirk E. Giberson
24 Attorneys for Plaintiff
626 Coolidge LLC

ORDER

Plaintiff's and Defendant's Joint Objection and Stipulation to Modify the Initial Pretrial Scheduling Order (ECF No. 2), is before this Court. The Court, having duly considered the Joint Stipulation, together with the complete files and records in this action, finds **GOOD CAUSE APPEARING** to grant the Parties' Stipulation, and hereby **ORDERS** as follows:

1. That the close of discovery shall be extended from two hundred forty (240) days from the date upon which the last answer may be filed with the Court to **November 12, 2024** (the “Fact Discovery Cutoff”).

2. That all corresponding discovery, expert disclosure, law and motion, settlement conference, and trial setting dates and deadlines in the Initial Pretrial Scheduling Order should be reset based on the new Fact Discovery Cutoff.

IT IS SO ORDERED.

DATED: November 6, 2023

Troy L. Nunley